

App. No. 10/671,764

Docket No. 58934-010300

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Technology Center 3700 Before Final Fax No. 703-872-9302.

August 4, 2004
Date

Miyabi Grace

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 10/671,764

Group Art Unit: 3731

Applicant(s): John H. Crabtree

Examiner: To be assigned

Filing Date: September 26, 2003

Docket No. 58934-010300

Title: TUNNEL PORT APPARATUS

Customer No. 33717

OFFICIAL

RECEIVED
CENTRAL FAX CENTER

AUG 04 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT [37 C.F.R. § 1.56]

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

This Information Disclosure Statement is being submitted within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office action on the merits, and therefore, Applicant believes no fee is required;

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

App. No. 10/671,764

Docket No. 58934-010300

as being considered and initialed by the Examiner, to the undersigned with the next official communication.

No fee is believed due. However, if the Applicant is mistaken, the Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, or to credit any overpayment to Deposit Account No. 50-2638.

Respectfully submitted,

GREENBERG TRAURIG, LLP

Date August 4, 2004

By Claude Nassif

Claude Nassif, Ph.D

Reg. No. 52,061

Tel.: (310) 586-7828

Greenberg Traurig, LLP
2450 Colorado Avenue, Suite 400
Santa Monica, California 90404
Telephone: 310-586-7700
Facsimile: 310-586-7800

FORM PTO-1449	Attorney Docket Number	58934-010300
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	10/671,764
	Filing Date	September 26, 2003
	Applicant(s)	John Crabtree
	Group Art Unit	3731
	Examiner Name	To be assigned

OTHER DOCUMENTS	
EXAMINER INITIALS	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	PCT/US03/40319 International Search Report, June 25, 2004, by Officer Vy Q. Bui

\LA-SRV01\252756v01\58934.010100

1

EXAMINER SIGNATURE **DATE**
CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Bureau and Trademark Office: U.S. DEPARTMENT OF COMMERCE